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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 UNITED STATES,

No. C-10-00385 SI-2 (EDL)

11 Plaintiff,

**REPORT AND RECOMMENDATION
RE: MOTION TO WITHDRAW**

12 v.

13 LAN JIN,

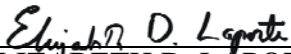
14 Defendant.
15 _____/

16 On December 8, 2010, Judge Illston referred Defendant's counsel's ex parte motion to
17 withdraw as counsel to this Court for a Report and Recommendation. Under the Criminal Local
18 Rules, an attorney who wishes to withdraw must file a motion showing good cause for allowing the
19 withdrawal, and give notice to all parties and to Defendant. Crim. L.R. 44-2(b). Although the
20 motion was filed under seal, Defendant's counsel provided informal notice of the motion to all
21 parties including his client, Defendant Jin. Counsel also gave a complete copy of his ex parte
22 declaration in support of the motion to Defendant Jin.

23 On January 11, 2011, the Court held a hearing on counsel's ex parte motion at which
24 Defendant Jin was present. At the hearing, the Court discussed the reasons for counsel's motion
25 with Defendant Jin and her counsel, and Defendant did not state an objection. For the reasons stated
26 at the hearing and in Defendant's counsel's declaration, good cause has been shown so the Court
27 recommends granting counsel's motion to withdraw.
28

Any party may serve and file specific written objections to this recommendation within fourteen (14) days after being served with a copy. See 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time may waive the right to appeal the District Court's order.

Dated: January 11, 2011



ELIZABETH D. LAPORTE
United States Magistrate Judge

United States District Court
For the Northern District of California